

UNITED STATES DISTRICT COURT

for the

Eastern District of California

United States of America

v.

Case No. 2:22-mj-0047 DB

MARCUS LAWRENCE WEBER

)

FILED

Mar 23, 2022

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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)

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of _____ March 16, 2022 in the county of _____ Placer in the _____
Eastern District of California, the defendant(s) violated:

Code Section
18 U.S.C. § 922(g)(1)

Offense Description
Felon in Possession of a Firearm

This criminal complaint is based on these facts:

See Affidavit of FBI Special Agent Gregory Richardson, attached hereto and incorporated by reference.

Continued on the attached sheet.

/s/ Gregory Richardson

Complainant's signature

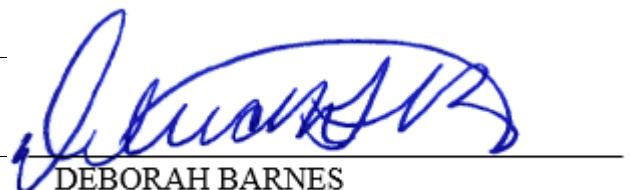
Special Agent Gregory Richardson, FBI

Printed name and title

Sworn to me and signed via telephone.

Date: 03/23/22

City and state: Sacramento, California



DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

1 **AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT**

2 I, Federal Bureau of Investigation Special Agent Gregory Richardson, being duly sworn, hereby
3 depose and state:

4 1. I submit this Affidavit in support of an arrest warrant for and a criminal complaint against
5 Marcus Lawrence Weber (hereinafter **Weber**) for a violation of 18 U.S.C. § 922 (g)(1) - Possession of a
6 firearm by a convicted felon.

7 **BACKGROUND AND EXPERTISE**

8 2. I am a special agent with the Federal Bureau of Investigation (the “FBI”) and have been
9 since October 2021. I am currently assigned to the FBI’s Sacramento Division, Violent Crime Safe
10 Streets Task Force. I have been assigned to this squad since 2021. I was trained as an FBI special agent
11 at the FBI Academy in Quantico, Virginia.

12 3. During the course of my employment as an FBI special agent, I have participated in
13 numerous criminal investigations. I have also participated in numerous investigations involving the use
14 of federal and state search warrants to collect evidence, including firearms and controlled substances, the
15 seizure of narcotics-related records, and other types of evidence that document the activities of criminal
16 organizations in both the manufacturing and distribution of controlled substances and weapons. To
17 successfully conduct these investigations, I have utilized a variety of investigative techniques and
18 resources including physical and electronic surveillance, various types of infiltration (including
19 informants and confidential human sources), pen register and trap and trace devices, GPS and telephone
20 tracking devices, audio and audio/video recording devices.

21 4. I am an “investigative or law enforcement officer” of the United States within the
22 meaning of 18 U.S.C. § 2510(7), in that I am an officer of the United States empowered by law to
23 conduct criminal investigations and make arrests for offenses enumerated in 18 U.S.C. § 2516.

24 5. Because I am submitting this affidavit for the limited purpose of establishing probable
25 cause for the requested complaint and arrest warrant, I have not included each and every fact known to
26 me about this case. Rather, I have set forth only the facts that I believe are necessary to support probable
27 cause. This affidavit is based upon my own personal knowledge and upon the knowledge of other law
28 enforcement officers involved in this investigation. Where I describe statements made by other people

1 (including other special agents and law enforcement officers), the statements are described in sum,
2 substance, and relevant part. Similarly, where I describe information contained in reports and other
3 documents or records in this affidavit, this information is described in sum, substance, and relevant part.

4 **STATEMENT OF PROBABLE CAUSE**

5 6. A review of **Weber**'s criminal history shows he has previously been convicted of the
6 following two felonies:

7 a) March 2018: Felony conviction - Possession for sale of a controlled substance, in
8 violation of California Health and Safety Code Section 11378; and
9 b) June 2021: Felony conviction - Carrying a concealed firearm, in violation of
10 California Penal Code Section 25400 (a)(1).

11 **Weber** also has a May 2017 misdemeanor conviction for manufacture, sale, or possession of metal
12 knuckles, in violation of California Penal Code Section 21810. **Weber** is currently pending adjudication
13 of three separate cases in Sacramento County:

14 a) Assault with a firearm, in violation of California Penal Code Section 245 (A)(2),
15 Case #21FE011614;
16 b) Two counts of possession for sale of a controlled substance, in violation of
17 California Health and Safety Code Section 11378, Case #21FE000785; and
18 c) Possession of a firearm by a convicted felon, in violation of California Penal Code
19 Section 29800 (A)(1), Case #21FE019593.

20 **Weber** is currently on state formal/searchable felony probation.

21 7. According to the relevant Sacramento Police Department reports, on March 16, 2022,
22 officers with Sacramento Police Department's gang enforcement team located **Weber** in the area of
23 East Roseville Parkway, Roseville, California. He was driving a gray Kia vehicle and officers observed
24 R.B. in the passenger seat. Knowing **Weber** to be the subject of multiple felony warrants, officers
25 decided to initiate a traffic stop and effect his arrest. When officers in marked patrol units activated their
26 emergency lights, **Weber**'s vehicle first stopped for several seconds, then accelerated away from the
27 marked units and passed another vehicle in an unsafe manner. The vehicle stopped after several hundred
28 yards. **Weber** exited via the driver's door of the vehicle and fled on foot from officers.

1 8. Officers observed that **Weber** was wearing a black ski mask that covered his face. He
2 dropped a firearm and stopped in heavy brush in a creek bed. Officers ordered **Weber** out of the creek
3 bed and placed him in custody. Officers then located the firearm **Weber** had dropped and identified it as
4 a Ruger 5.7 semi-automatic pistol bearing serial number 64323189. The pistol contained an extended
5 magazine containing approximately 11 rounds of 5.7x28mm ammunition. The firearm contained a live
6 round in the chamber.

7 9. An officer used a Sacramento Police Department *Miranda* card to advise **Weber** of his
8 rights. Weber advised he understood his rights and decided to speak with the officer. With regards to
9 the firearm, **Weber** claimed he carried one for protection. The officer told **Weber**, "You have four
10 felony warrants. You just ran from police and tossed a gun." **Weber** responded, "I know, but I didn't kill
11 nobody." Officers booked **Weber** into Placer County Jail for violations of California Penal Code
12 sections 29800 (a)(1), possession of a firearm by a felon, 30305 (a), possession of ammunition by a
13 prohibited person, 148 (a)(1), resisting a peace officer, 25300 (a), possession of a firearm in a public
14 place or on a public street while masked, and California Vehicle Code section 2800.1, fleeing from a
15 peace officer while operating a motor vehicle.

16 10. Based upon consultation with an interstate nexus expert from the Bureau of Alcohol,
17 Tobacco, and Firearms, I know that this firearm was not manufactured in the State of California.

CONCLUSION

19 11. Based on the above information, I believe there is probable cause to believe that Marcus
20 Lawrence Weber, a convicted felon, possessed a firearm on March 16, 2022, in violation of 18 U.S.C. §
21 922 (g)(1). Accordingly, based upon the foregoing, I respectfully request that the Court sign the
22 requested criminal complaint and issue the requested arrest warrant for **Weber**.

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12. I swear, under the penalty of perjury, that the foregoing information is true and correct to the best of my knowledge, information, and belief.

Respectfully submitted,

/s/ Gregory Richardson

Gregory Richardson

Special Agent

Federal Bureau of Investigation

Subscribed and sworn to me by telephone on: 03/23/2022

/s/ *Adrian T. Kinsella*

DEBORAH BARNES

UNITED STATES MAGISTRATE JUDGE

Approved as to form by AUSA ADRIAN T. KINSELLA

United States v. MARCUS LAWRENCE WEBER
Penalties for Criminal Complaint

COUNT 1:

VIOLATION: 18 U.S.C. § 922(g) - Felon in possession of firearm

PENALTIES: Maximum of 10 years in prison,
A fine of up to \$250,000 fine, or both,
A term of Supervised Release of up to three years

SPECIAL ASSESSMENT: \$100 (mandatory on each count)